

MTS-3553US

PATENT

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appn. No: To Be Assigned
Applicant: Toru MIYANO
Filed: To Be Assigned
Title: DISK APPARATUS, DISK APPARATUS CONTROLLING METHOD,
PROGRAM AND RECORDING MEDIUM (AS AMENDED)
TC/A.U.: To Be Assigned
Examiner: To Be Assigned
Confirmation No.: To Be Assigned
Docket No.: MTS-3553US

INFORMATION DISCLOSURE STATEMENT***Mail Stop PCT***

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (R&P) submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following Japanese references are not in the English language:

- 1) 2002-238008
- 2) 2002-109873
- 3) 05-074038
- 4) 04-060956

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References 1) to 3) were cited in a search report by a foreign Patent Office in a patent application corresponding to the above-identified patent application. A copy of this search report and of the English translation thereof, which indicate the degree of relevance found by the foreign office, are transmitted herewith. MPEP 609 IIIA(3), second paragraph.

Reference 4) includes an English language abstract and a "concise explanation" under 37 CFR § 1.98(a)(3) is set forth in the background portion of the specification.

This Information Disclosure Statement is being filed concurrently with the above-referenced application.

Respectfully submitted,

Daniel N. Calder

Daniel N. Calder, Reg. 27,424
Attorney for Applicant

DNC/fp

Enclosures: PTO Form 1449 (2 sheets)
Copies of (4) References
Japanese Search Report and English translation thereof

Dated: March 23, 2005

P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

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(Use as many sheets as necessary)

SHEET 1 of 2

Complete if Known

Application Number	To Be Assigned	10/528793
Filing Date	Herewith	
First Named Inventor	Toru MIYANO	
Art Unit	To Be Assigned	
Examiner Name	To Be Assigned	
Attorney Docket No.	MTS-3553US	

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature /Oluwaseun Adegeye/ Date Considered 11/16/2007

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JC14 Rec'd PCT/PTO 23 MAR 2005

PTO/SB/08B (AW 4/25/03) (04-03)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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SHEET 2 of 2

Complete if Known

Application Number

To Be Assigned

10/528703

Filing Date

Herewith

First Named Inventor

Toru MIYANO

Art Unit

To Be Assigned

NON-PATENT LITERATURE DOCUMENTS

Examiner Signature /Oluwaseun Adegeye/ Date Considered 11/16/2007

¹Applicant's unique citation designation number (optional).

¹Applicant's unique citation designation number (optional).

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The collection of information is required by 37 CFR 1.98. The information is required to process (including time to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including the gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO:**
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